

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 SY-05 A-01 OPR-02 USSS-00 CIAE-00

DODE-00 PM-05 H-02 INR-10 L-03 NSAE-00 NSC-05

PA-02 SP-02 SS-15 ICA-20 SAB-02 /089 W

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R 071645Z JUN 78

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC 7391

INFO PANCANAL

USSOUTHCOM

UNCLAS PANAMA 04034

E.O. 11652: N/A

TAGS: OVIP (CARTER, JIMMY), PINT, PN

SUBJECT: GOP DEFENDS RATIFICATION EXCHANGE CEREMONY

REF: A. PANAMA 3022, B. PANAMA 3336

1. IN REPLY TO DOMESTIC SKEPTICS WHO OPPOSE THE EXCHANGE OF TREATY RATIFICATIONS AT THIS TIME, THE PANAMANIAN GOVERNMENT HAS PUBLICIZED ITS RATIONALE FOR THE EXCHANGE. FORMER TREATY NEGOTIATOR CARLOS LOPEZ-GUEVARA IS QUOTED BY "MATUTINO" COLUMNIST RICARDO LINCE (JUNE 5) AS SAYING THAT "WITHOUT THIS EXCHANGE OF RATIFICATIONS, THE RATIFICATION BY THE U.S. SENATE WOULD NOT BE VALID BEFORE OTHER NATIONS OF THE WORLD." RATHER THAN A THEATRICAL, CEREMONIAL EVENT, LOPEZ-GUEVARA ARGUES, THE EXCHANGE IS WHAT WILL GIVE "INTERNATIONAL LIFE" TO DOCUMENTS THAT OTHERWISE WOULD HAVE NO EFFECT OUTSIDE THE TWO SIGNATORY COUNTRIES. "WHAT MAKES A DOCUMENT AN INTERNATIONAL TREATY IS THE EXCHANGE OF DOCUMENTS AND A FORMAL DECLARATION ... THAT SAYS 'PANAMA PROMISES TO COMPLY WITH THIS TREATY. THE UNITED STATES PROMISES TO COMPLY WITH THIS TREATY.'"

2. AVOIDING MENTION OF THE FACT THAT THE EXCHANGE MAY NOT REALLY TAKE EFFECT UNTIL MARCH 31, 1979, THE QUOTE GOES ON
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AT SOME LENGTH ABOUT THE BROOKE AMENDMENT TO THE PANAMA CANAL TREATY. IT EXPLAINS THAT, AT PANAMA'S INSISTENCE, THE AMENDMENT CITES AN END DATE OF OCTOBER 1, 1979, BY WHICH TIME THE TREATIES WILL GO INTO EFFECT REGARDLESS OF WHETHER THE U.S. CONGRESS HAS ENACTED IMPLEMENTING LEGISLATION. IT LAUDS THE FACT THAT A FIXED DATE IS SPECIFIED, RATHER THAN THE VAGUE "SIX MONTHS AFTER

EXCHANGE."

3. COMMENT: THIS RATIONALE IS AN ATTEMPT TO ANSWER CHARGES (REPORTED REFTELS) THAT THE EXCHANGE OF RATIFICATIONS WILL BE AN EMPTY, POMPOUS CEREMONY, DEVOID OF JURIDICAL SIGNIFICANCE. IT MIGHT ALSO BE INTENDED TO ANSWER LINGERING DOUBTS IN THE U.S. THAT PANAMA WILL ABIDE BY THE TERMS OF THE TREATIES. JORDEN

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